

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**ADAPTIX, INC.,**

**Plaintiff,**

**v.**

**ALCATEL-LUCENT USA, INC., et al.,**

**Defendants.**

**Civil Action No. 6:15-cv-00041-RWS**

**CONSOLIDATED LEAD CASE  
PATENT CASE**

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**ADAPTIX, INC.,**

**v.**

**ERICSSON INC.,  
TELEFONAKTIEBOLAGET LM  
ERICSSON, CELLCO PARTNERSHIP  
d/b/a VERIZON WIRELESS, and SPRINT  
SPECTRUM L.P.**

**Civil Action No. 6:15-cv-00042  
PATENT CASE**

**PLAINTIFF’S ANSWER TO DEFENDANT  
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS’S  
COUNTERCLAIMS**

Plaintiff, ADAPTIX Inc. (“ADAPTIX”), answers the counterclaims of Defendant Cellco Partnership d/b/a Verizon Wireless (“Defendant”), as follows:

**COUNTERCLAIMS**

**PARTIES**

- 43. Denies.
- 44. Admits.
- 45. Admits.

**JURISDICTION AND VENUE**

46. Admits, assuming that by “[t]his is an action” Defendant meant “These are counterclaims.”

47. Denies that 28 U.S.C. §§ 2201, 2202 provide jurisdiction, but otherwise admits.

48. Admits that venue is proper, but otherwise denies.

49. Admits.

**FIRST COUNTERCLAIM  
(DECLARATORY JUDGMENT OF NONINFRINGEMENT)**

50. Denies.

51. Denies.

52. Denies.

**SECOND COUNTERCLAIM  
(DECLARATORY JUDGMENT OF INVALIDITY)**

53. Denies.

54. Denies.

55. Denies.

**PRAYER FOR RELIEF**

WHEREFORE, ADAPTIX respectfully requests that this Court:

- a. Deny all relief requested in Defendant’s Counterclaims;
- b. Grant the relief requested by ADAPTIX in its Complaint; and
- c. Grant ADAPTIX such further relief as this Court finds appropriate.

Date: August 5, 2015

Respectfully submitted,

By: /s/ Paul J. Hayes

Paul J. Hayes

Kevin Gannon

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**ATTORNEYS FOR PLAINTIFF  
ADAPTIX, INC.**

### **CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 5th day of August, 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Paul J. Hayes

Paul J. Hayes